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APRIL 25, 1950
609TH BROADCAST

Town Meeting



BULLETIN OF AMERICA'S TOWN MEETING OF THE AIR

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How Can We Best Insure Loyalty of United States Citizens and Officials?

Moderator, **GEORGE V. DENNY, Jr.**

Speakers

BETH W. RICHARDSON

HOMER FERGUSON

CLIFFORD J. DURR

(See also page 12)

COMING

— May 2, 1950 —

**How Should Business and Government Deal
With Unemployment?**

— May 9, 1950 —

Is the American Press Doing Its Job Today?

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"How Should Business and Government Deal With Unemployment?"



THE BROADCAST OF MAY 9:

"Is the American Press Doing Its Job Today?"



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Town Meeting

BULLETIN OF AMERICA'S TOWN MEETING OF THE AIR

GEORGE V. DENNY, JR., MODERATOR



APRIL 25, 1950

VOL. 15, No. 52

How Can We Best Insure Loyalty of United States Citizens and Officials?

Announcer:

Tonight your Town Meeting is in Johnstown, Pennsylvania, to help commemorate two important events in the history of this great industrial center. This is Johnstown's sesquicentennial year and the 25th anniversary of our local auspices, the Beth Zion Forum, which has become the city's platform for nonpartisan discussions of current affairs. Mayor Walter Rose has proclaimed this as "Beth Zion Forum and Town Meeting Day" for all of Johnstown.

Now as we travel around the country to originate Town Meetings from various cities we are greatly encouraged by the increasing number of local organizations which are developing community forums and Town Meetings in order that the people may be better informed.

Won't you let us know about the activities of your Town Meetings and discussion groups? We want you to feel free to call on us if we may be of any assistance to you.

Now to preside over our discussion, here is your Moderator, the president of Town Hall and founder of America's Town Meeting, Mr. George V. Denny, Jr. Mr. Denny. (applause)

Moderator Denny:

Good evening, neighbors. We are very happy to be in Johnstown tonight to help celebrate its 150th anniversary and the 25th anniversary of the Beth Zion Forum. You couldn't have picked a more timely topic than the one we

are discussing this evening, for it is one of the most truly baffling questions ever faced by a democracy.

And we couldn't be more fortunate in our choice of speakers to cover all viewpoints of this baffling question.

Senator Homer Ferguson of Michigan, a familiar voice to Town Meeting listeners, is one of the authors of the Mundt-Ferguson-Johnson bill.

Mr. Seth Richardson is chairman of the Loyalty Review Board, who was commended so highly by President Truman in his speech last night.

Mr. Clifford Durr is president of the National Lawyers Guild and has been outspoken in his criticisms of the present methods being employed to identify Communists and suspected subversive elements.

We will hear first from the distinguished Republican Senator from the State of Michigan, who will probably have something to say about President Truman's speech last night, Senator Homer Ferguson. Senator Ferguson. (Applause)

Senator Ferguson:

Mr. Denny, fellow citizens. I'm very happy to be in Johnstown. This is the birthplace of my father in 1857, and I'm certainly glad to come here that I may speak to you, and that I may speak to this radio audience from this auditorium in the birthplace of my father.

I assume that my invitation to take part in this forum stems from my sponsorship of the Mundt-Ferguson-Johnson bill. This bill is designed to protect the United States against subversive activities which are acts of disloyalty. I regret that laws like this are necessary. I deeply regret that loyalty to our country has to be tested, and that disloyalty has to be exposed and punished. But, after all, what is law but a socially enforced rule of conduct?

Every society turns to law because there are always some people who willfully violate the accepted rules of conduct in a community. The bulk of our people need no laws to restrain them. They willingly abide by the unwritten rules of good society.

But, throughout history and in every land, there are always a few who refuse to play the game. Their acts sometimes threaten the very existence of the Nation, as I believe Communists do today.

Laws are necessary to expose and restrain these people

no have no respect for the ordinary rules which maintain order and provide security for the Nation. This is the simple principle behind this bill.

I like the way our topic for this evening is phrased. It offers us an affirmative approach to the subject of disloyalty. In that spirit, let us do a little thinking out loud on what are loyalty and disloyalty.

Loyalty is devotion and allegiance to the institutions and the ideals of the United States. Disloyalty is the assertion of a superior loyalty to some other nation.

Today disloyalty means an allegiance to a foreign system which openly seeks to destroy the institutions and ideals of our people. I refer to the conspiracy of world communism. World communism not only seeks to destroy our system, but to replace it with a superior loyalty to the institutions and the dogma of Soviet Russia.

To combat the disloyalty which communism demands of its disciples, we must inquire into communism's power to capture men's minds. From case histories the world over, it seems that communism makes a strong psychic appeal to men and to women who are overly distressed by the world's problems.

These people seek an absolute faith which communism seems to offer in a simple, neat package. It makes no difference that the communist ideal is a cruel and ugly fake. The evidence is now overwhelming that this is so. Yet people of superior education and seemingly good character have been taken in by it.

Now why is this? Undoubtedly there are many reasons. The chief among them I think is the kick that some of our best intelligent people get out of a new crusading faith.

There are zealots who get a neurotic satisfaction from a glittering ideal, no matter how false or unattainable that ideal may be.

How do we combat this psychic allure which ensnares the deluded?

First, we do it by generating an inspiring faith in the virtues of American institutions.

Second, we do it by maintaining conditions which demonstrate the superiority of our way of life.

Third, we do it by exposing the fallacies of other systems which aim to destroy our systems.

Finally, we do it by enacting laws, such as I am proposing, to reach the people who willfully work like a poison to

undermine the institutions and security of our great country.
(Applause)

Moderator Denny:

Thank you, Senator Ferguson. Our next speaker is also a Republican serving a Democratic Administration in thoroughly nonpartisan capacity as chairman of the Loyalty Review Board. Mr. Richardson has also served as Assistant Attorney General under President Hoover. In 1946, he became chief counsel of the Congressional Committee investigating Pearl Harbor. We are happy to welcome him to Town Meeting. Mr. Seth Richardson. (Applause)

Mr. Richardson:

The President said last night that I had his confidence. That coming to a Republican, was a wonderful statement to me. I hope it's true.

I have no definition of loyalty, ladies and gentlemen. Loyalty is as you see it in the course of your duty.

What is obscenity? What is obscene to one is not obscene to another, and yet juries in our courts pass on questions of obscenity.

What is burden of proof? What is preponderance of evidence? Something for a jury to consider.

The President was beset with the claim that government employees were very largely subversive.

The Congress called upon him to act, and he asked those of us on the Loyalty Board to make a check of government employees—three million of them.

I have known them most of my life. I never had any doubt concerning them. But those three million have been checked and out of those three million there were but 200,000* that were required to be dismissed.

We speak about the public clamor. Public clamor is all right as long as it does not become hysteria. And hysteria is to be prevented by intelligent men endeavoring to make an intelligently loyalty check.

Civil rights are important to all of us—to me, to you—but your civil rights depend upon the civil rights of your neighbor, because as you intrude on his civil rights, he loses his civil rights.

All we are endeavoring to do in the Loyalty Program, ladies and gentlemen, is to tell the employees, who take the

*Corrected in Question Period. Should have said 200.

thilling of the Government for their work, that they owe some allegiance to their Government; that they cannot wander off after strange gods that preach a doctrine injurious to the Government, and continue to take the government money in employment.

We've tried to teach them the lesson the Canadians did not teach their people. That's why so many Canadians calmly and quietly gave away the secrets of the government because they knew no better.

As soon as the Loyalty program was started the number of resignations mounted. Since then we have reason to believe that many people with bad records have stayed out of the Government because they didn't want to tie in with the FBI.

Today the rank and file of government employees in Washington are calm of mind, and are conscious of a feeling of pride that out of three million employees only 200 have been found wanting.

I think one of the ways to insure loyalty in public officials and in employees is to bring home to the officials and the employees that the Government is entitled to more from its employees than lip service.

It is entitled to the same devotion to our kind of a government that our forefathers had when they built it.

You can talk all you want to about Gestapos and treading on peoples' rights. I tell you the greatest right in this country is the right of the Government of the United States to protect itself in time of peril! And that's what we're trying to do! (Applause)

Moderator Denny:

Thank you, Mr. Richardson. Now, ladies and gentlemen out across the land who have been listening to Town Meeting all these past 15 years, you'll be surprised—or maybe you won't be surprised—to know that it has happened! For the first time in 15 years, a speaker has not arrived on Town Meeting. We regret very much that the fog that closed in on Johnstown this afternoon prevented Mr. Durr from arriving here.

Consternation reigned at the hotel. We didn't know where to find him. We finally located him in Martinsburg, West Virginia, or, that is, he telephoned us. We sent a car over to get him at Martinsburg, West Virginia, and we don't know what's become of the car.

Now, Mr. Clifford Durr, our next speaker, is sitting by

his radio in Martinsburg, West Virginia, listening tonight, and is going to participate in the question period in a very unique way.

But, first of all, we are going to have his speech read for us by the chairman of the Beth Zion Forum. Rabbi Perlmutter is going to read the speech for Mr. Clifford Durr, who is president of the National Lawyers Guild.

Mr. Durr is a native of Alabama, a Rhodes scholar who received his bachelors degree from Oxford University. He first joined the government service in the Reconstruction Finance Corporation in 1933. He served there until he was appointed a member of the Federal Communications Commission in 1941, where he remained until 1948. He is now a practicing attorney in New York. Mr. Clifford Durr's speech read by Rabbi Perlmutter. (*Applause*)

Rabbi Perlmutter: Mr. Denny, we never have fogs in Johnstown. We only occasionally have an absence of visibility. I'm now reading the text of Mr. Durr's speech:

Mr. Durr: (*speech read*) It is not the business of Government to tell the people what to think. It is the business of the people to do their own thinking, and then tell the Government what to do. Intellectual goose-stepping has no place in democratic government.

I say that the best way to insure the loyalty of United States citizens and officials is to keep this the kind of country that will inspire and deserve their loyalty.

Loyalty is a condition of the mind and emotions, and is too subtle a matter to be measured by any tests short of overt acts. Any attempt to punish men for their state of mind, or to force their mental processes and conclusions by intimidation rather than to persuade them by reason, is as futile as it is wrong.

The Government may punish or reward acts. It may command obedience. But loyalty, it seems to me, must be earned. It will not and it cannot be insured by loyalty oaths, loyalty programs, such repressive measures as the Mundt-Ferguson bill, or the most diligent activities of secret police.

On the contrary, such measures will inevitably impair rather than promote loyalty by departing from those principles of freedom of belief and association and fair play, which in a democratic society are and should be the basis on which loyalty is founded.

What is the cause of our present alarm? Are we afraid of ideas, or are we afraid of spies? If it is ideas we fear, then

we might as well close up shop and go out of business as a democratic society, for the very basis of our form of government is that people are capable of dealing with ideas, and that they must have freedom to know and examine the widest possible range of ideas, if they are to make a free and intelligent use of the ballot.

If it is spies we fear, then we had better let our police concentrate on the source of danger, and relieve them of the assignment of attempting to probe into the words, thoughts, reading matter, and social lives of American citizens.

Spies are not likely to go around joining organizations on the Attorney General's suspect list. They won't be caught by loyalty oaths, loyalty hearings, or the publication of membership lists.

The guarantee of freedom of worship, speech, press, and assembly contained in the first amendment of our Constitution is the very foundation of the form of government and way of life we proudly call American.

As a Justice of the United States Supreme Court has put it, "Freedom to speak and to write about public questions is as important to the life of our Government as is the heart to the human body. In fact, this privilege is the heart of Government. If the heart be weakened, the result is debilitation; if it be stilled, the result is death."*

In our frenzied search for security, there is a serious danger that we will destroy the very things upon which the strength of our country has been based.

The founders of our Government were certainly not unkindful of the demands of national security. They had just won independence through war, and were aware of the possibility that war might be necessary to preserve it.

Troops of European nations were just beyond the still uncertain borders of the new nation, and its frontiers were constantly harassed by Indian tribes.

Tories who had recently demonstrated their loyalty to the government of England were at large. The agents of many foreign nations moved freely about the country, and the alien seas which gave rise to the bloody French Revolution were life.

But these founders saw no inconsistency between national security and constitutional safeguards of the rights of indi-

*Correction of paraphrased quotation was sent by telegram following broadcast.

vidual citizens. Rather, they sought to build security upon the foundation of individual freedom.

They reasoned that men enjoying the maximum of personal freedom would be the most loyal protectors of their government and their country, for they would have a state worth protecting. We cannot protect our freedom by destroying it.

*Our legal and constitutional safeguards are not selective. They must protect all or they will soon cease to protect any. Today it is the Communists who are the target. Tomorrow, with a turn of the political wheel of fortune, it may be Catholics or Quakers or Jews, labor unions or college professors, or any holding views now respectable but subsequently deemed displeasing to the powers that be.

Men in positions of power are quite likely to confuse loyalty to themselves or their ideas or projects with loyalty to country. (*Applause*)

Moderator Denny: Thank you, Rabbi Perlmutter for the speech by Clifford Durr. Now while we get ready for our question period here is a message for our Town Meeting listeners.

Announcer: I wonder how many of you realize that Town Meeting is about to celebrate its 15th anniversary. It was fifteen years ago on Memorial Day, 1935, when America's Town Meeting was first heard on the airways.

Our program for this coming May 30 has been completed and will originate in Boston in coöperation with the Annual Meeting of the General Federation of Women's Clubs. Our subject will be, "What Progress May We Expect During the Next Half-Century?"

The program will be an hour long, and our speakers will be Dr. James Killian, Jr., president of M. I. T.; Dr. Earnest Hooten, professor of anthropology at Harvard University; Dr. Fairfield Osborn, author of *This Plundered Planet*, and for the special occasion, our Moderator will speak his mind on this subject.

Our Guest Moderator will be Mr. Erwin Canham, editor of the *Christian Science Monitor*.

You won't want to miss this exciting and important program.

Now for our question period we return you to Mr. Denny.

*The following two paragraphs were added by Mr. Durr by telegram after the broadcast.

QUESTIONS, PLEASE!

Mr. Denny: Now we are ready for our questions here in this auditorium in Johnstown, and as I told you a moment ago, Mr. Clifford Durr is standing by his radio in Martinsburg with a telephone line open. If you have questions for him, he'll hear them and will answer over the telephone. Then Rabbi Perlmutter will repeat what he's said. We are going to start with this gentleman right here on the second row, however, who has a question for Senator Ferguson.

Man: Senator Ferguson. How can Mr. Budenz be right

—*Buffalo Courier-Express*



Disloyal workers must be sifted from government positions.

about Owen Lattimore, and McArthur's wartime Intelligence Director have such an opposite report on him?

Senator Ferguson: Well, I can't answer that question because it all depends on whether the report is right or Mr. Budenz is right. You say how can the report be right and Mr. Budenz be right. I agree that they can't both be right because they are just the opposite.

Man: Hasn't the Government accepted Mr. Budenz' statements in the Communist trial in New York?

Senator Ferguson: Yes, I understand that Mr. Budenz testified for practically ten days in the trial of the eleven Communists in New York.

I don't believe that the Government is attacking the testimony of Mr. Budenz to try to discredit it at the present time.

They may in the future. I don't know what they are going to do.

Mr. Denny: Thank you, Senator. Let's take the question from the gentleman over there.

Man: Mr. Richardson, do you think disloyalty is caused by injustices which people are made to suffer by unscrupulous public officials? If so, what remedies do you suggest?

Mr. Richardson: Why, yes, disloyalty can be caused by injustice, and many times it is. But injustice is no excuse for disloyalty.

Mr. Denny: Thank you. Do you want to comment on that, Senator? No. All right, here's a question for Mr. Durr.

THE SPEAKERS' COLUMN

SETH WHITLEY RICHARDSON—Born in Otterville, Iowa, in 1880, Mr. Richardson had his first two years of college at Hamline University in St. Paul, Minnesota, and received his LL.B. from the University of Wisconsin. He practiced law in Kenmare and Fargo, N. Dak., but since 1933 has been member of a law firm in Washington, D. C.

Mr. Richardson was assistant state's attorney in Cass County, N. Dak., and special assistant attorney general of N. Dak. He also has served as U. S. district attorney and assistant attorney general of the U. S. He has appeared in litigation of many important cases before the Supreme Court. At present, he is chairman of the Loyalty Review Board.

HOMER FERGUSON—Republican from Michigan, Senator Ferguson is a member of the Senate Appropriations Committee. He is co-sponsor of the Mundt-Ferguson Bill (the Subversive Activities Control Act of 1950).

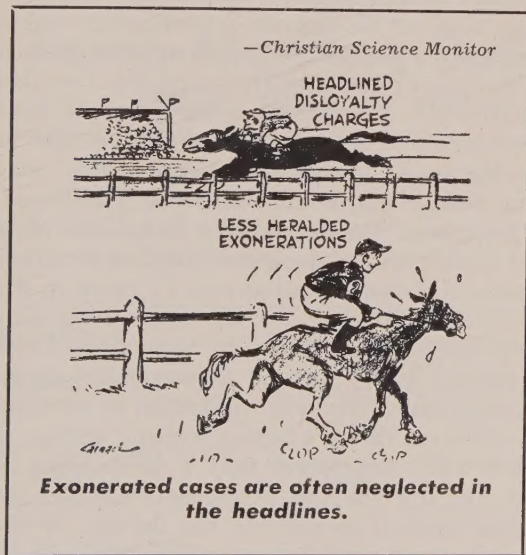
Born in 1889 in Harrison City, Pennsylvania, he attended the University of Pittsburgh and the University of Michigan where he received his LL.B. From 1913 to 1929, Senator Ferguson engaged in the practice of law. From 1929 to 1943, he was a circuit judge in Wayne County, Michigan. Elected to the Senate in the November, 1942, election, he was reelected in 1948.

CLIFFORD J. DURR—Mr. Durr, an attorney, was a Commissioner with the Federal Communications Commission from 1941 to 1948. Born in Montgomery, Alabama, Mr. Durr graduated from the University of Alabama (A.B.) and from Queen's College, Oxford University, England, (B.A. in jurisprudence).

After his admission to the Alabama bar, he practiced law in Montgomery and Birmingham until 1933, was associated with the legal division of the RFC from 1933-41, and served as its assistant general counsel from 1936-41. Before becoming Commissioner of the FCC, Mr. Durr was vice president and director of the Rubber Reserve Company.

Man: Mr. Durr, has the Government encountered any great difficulty in retaining competent men in government office and in securing new ones due to the irresponsible tactics of Senators Hickenlooper and McCarthy?

Mr. Denny: No, now that question is not good. That question contains a smear. We won't answer it. Sorry. Next question, here. Please try not to pass questions like that to local moderators.



Lady: Mr. Richardson, did you say only 200,000 of three million government employees were found to be poor risks? Isn't that a high and dangerous percentage?

Mr. Richardson: Will you repeat that please?

Lady: Did you say only 200,000 of three million government employees were found to be poor risks? Isn't that a high and dangerous percentage?

Mr. Richardson: My recollection was—and my intention was—to say that 200 were dismissed out of three million.

Mr. Denny: All right, thank you very much for correcting that. Next question from the young man down there for Mr. Durr. Yes?

Man: Mr. Durr, why must we keep Communism in the closet? Why don't we bring it out into the open?

Mr. Denny: Mr. Durr. I think I can guess what his answer

will be, but let's hear what Mr. Durr has to say, Rabbi Perlmutter.

Rabbi Perlmutter: Mr. Durr answers that question, "I do not object to people coming out into the open, but I do object to *punishing* people for coming out into the open. Consequently, they may not come into the open.

Mr. Denny: Thank you. Now the next question for Senator Ferguson. Yes, right here.

Man: Senator Ferguson, in a court of law we try to protect the innocent. Are not the Senate investigators violating this concept by allowing the smear charges to make the headlines?

Senator Ferguson: I'm awfully sorry but I couldn't hear the first part of the question from the platform here.

Man: In a court of law, we try to protect the innocent. Aren't the Senate investigators violating this concept by allowing the smear charges to make the headlines?

Senator Ferguson: I'd like to take just a few moments to answer that question. We have established in America a great judicial system. Having served almost 14 years on the Bench I have the greatest respect for our judicial system. We're doing a very fine job of it. Everyone is presumed to be innocent until proved guilty beyond a reasonable doubt.

Now I want to say that an investigation in the Congress is an entirely different thing. I hope everyone within the limits of my voice will understand that a proceeding down in Washington, for the purpose of ascertaining the facts with which to pass laws or to remedy the defects or the errors that we may have, is not like a court of justice at all. There is no defendant before the proceedings before Congress. The people of America are before them. It is only a means of ascertaining the facts so that we in Washington can pass laws for you back home.

Don't be mistaken. This is not a trial. No proceeding in Washington before Congress is a trial. It should not be considered a trial. It is nothing more than an investigation into the facts. That's all it's supposed to be, so that we can make better laws.

I just want you to write me, so that I can send you a copy of the bill and the report. We don't have time enough here to discuss it in detail, because I see that clock whirling around up there. Won't you do that, everybody in the audience and in the listening audience.

Mr. Denny: Thank you, Senator Ferguson, Seth Richardson, and Clifford Durr. Our thanks, too, to our hosts, the

eth Zion Forum, and Station WCRO here in Johnstown. In
ast a moment, I'll tell you about our subject and speakers
or next week.

Announcer: Among the many things we have to be thankful
or in this great country of ours is our free radio. You may
e listening to this program on a set for which you paid only
0, or it may have cost several hundred. But for the mere
vist of a finger, day in and day out, you have within your



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VOLUME 15

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Like hundreds of others, you will find that it is good business to sponsor Town Meeting. Why not call the manager of this station first thing in the morning? Now to tell you about next week's program here is Mr. Denny.

Mr. Denny: Next week we'll be the guests of the United States Chamber of Commerce at its annual meeting in Washington, D. C. Our subject will be: "How Should Business and Government Deal With Unemployment?" Our speakers will be Leon H. Keyserling, Acting Chairman of the President's Council of Economic Advisers, and Dr. Emerson Schmidt, economist for the U. S. Chamber of Commerce.

So plan to be with us next week and every week at the sound of the Crier's bell. (*Applause*)